



Enquiries

Marius Buskes

Contact details

044 501 3387

E-mail

mbuskes@plett.gov.za

File ref: 18/5/240

20 March 2025

Email

mirinda@mdbtownplanner.co.za

For Attention: Marinda de Beer

**PROPOSED SUBDIVISION AND REZONING: PORTION 5 OF THE FARM SOLWAY NO 240,
DIVISION OF KNYSNA, BITOU MUNICIPALITY**

1. The Acting Director: Planning and Development made the following decision on 18/03/2025:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
 - a) The Subdivision of Portion 5 of the Farm Solway No 240 into two (2) portions (Ptn A measuring 0.6708ha (Utility Zone) and the Remainder 37.1521ha (Agriculture Zone1) in terms of Section 15(2)(d) of the Bitou Municipality Bylaw on Land Use Planning, 2015 as amended.
 - b) The Rezoning of Ptn 5 from Agriculture Zone to 'Subdivisional Area' in terms of Section 15(2)(a) of the Bitou Municipality By-law on Land Use Planning, 2015 as amended.
3. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):
 - i. *That it be recorded that no building construction may occur on any individual property without prior approval in terms of the provisions of both the National Building Regulations and Building Standards Act, 1997(Act 103 of 1977).*
 - ii. *That it be recorded that the subdivision approval will lapse unless separate registration of at least one land unit is effected in the Deed's office within five (10) years of the date of the notification of coming into operation of this approval (which will be forwarded in due course).*
 - iii. *The standard administrative requirements of the Bitou Municipality By-law on Land Use Planning to finalise the subdivision and rezoning approval are to be complied with.*
 - iv. *That municipal services be provided to Portion A to the satisfaction of the Municipality.*
 - v. *That a servitude for private right of way in favour Ptn A be registered in the deeds office prior to transfer Ptn A to a deed of title.*
 - vi. *That Ptn A must be fenced off*
 - vii. *That controlled access must be ensured to the drop off facility.*
 - viii. *That no Agricultural uses be permitted on Portion A (i.e. Pigsties chicken coops etc.)*
 - ix. *That the total waste capacity will not exceed the 100m³ threshold at any time to comply with category C of no.59 of 2008: National Environmental Management: Waste Act,2008.*
 - x. *That waste containers used for storage must be designed to prevent spillage or leakage.*

- xi. That proper vector control and management is implemented to prevent bad odours and the breeding of vectors.*
- xii. That the facility is not used for the storage of hazardous waste.*
- xiii. That waste is covered to prevent access by animals and to avoid windblown litter.*
- xiv. That stormwater and surface runoff from the facility is treated and released in a manner that does not cause environmental pollution.*
- xv. That all stormwater runoff incorporates best management practices to trap pollutants and minimize impacts on nearby river systems (preventing wash-away).*
- xvi. That the facility must with the National Norms and Standards for the Storage of General Waste,*
- xvii. for as well as all relevant legislation.*
- xviii. That the facility must be designed and operated in accordance with the National Norms and Standards Storage of General Waste.*
- xix. That the relocation of the pig enclosures shall not result in more than 1 hectare of total vegetation being cleared (including the fire station), in order to remain below the threshold of Activity 27 of Listing Notice 1.*
- xx. That any areas exposed due to the relocation of pig enclosures must be rehabilitated with indigenous fynbos vegetation that is endemic to the site. This detail must be included in the EMP.*
- xxi. That stormwater runoff from the facility shall be treated using oil/grease traps and channels to prevent polluted water from entering the catchment area.*
- xxii. That stormwater generated by the facility must be released in such a manner that it does not cause environmental harm or erosion.*
- xxiii. That alien invasive plants on the property shall be removed and managed to prevent regrowth.*
- xxiv. That all illegal dumps on the property are to be systematically removed, with the affected areas rehabilitated accordingly.*
- xxv. That patches of indigenous vegetation and fynbos shall be conserved as far as possible during the development.*
- xxvi. That a surveyor shall be appointed to measure, in square meters, the areas that have previously been cleared and transformed on the property to ensure the facility and pig enclosures do not exceed the 0.5-hectare threshold.*

4. Reasons for the above decision are as follows:

- a) The provision of a waste site will add to the service delivery infrastructure of Bitou Municipality
- b) Provision of the Waste site is consistent with the waste management program of Bitou Municipality
- c) The Development proposal is consistent with the Bitou Spatial Development Framework.
- d) The proposed utility zone in the context of the urban environment is desirable.

- 5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
- 6. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days this letter was emailed or sent to the electronic address.
- 7. The attached appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of notification of this decision together with proof of payment of the appeal fee.

8. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
9. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of registration of this letter.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days this letter was emailed or sent to the electronic address.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. Schliemann', written over a horizontal line.

Chris Schliemann

Acting Director: Planning and Development